

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LEONARD'S EXPRESS, INC.,

Plaintiff,

DECISION AND ORDER

18-CV-6854L

v.

QUALITY FRESH FARMS, INC.,

Defendant.

In 2018, plaintiff commenced this action against Quality Fresh Farms, Inc. for breach of contract relating to sums due for transportation of goods by plaintiff on behalf of defendant. No appearance was ever entered on behalf of defendant. In March 2018, plaintiff moved to stay the action advising that defendant was in bankruptcy proceedings in the Eastern District of California. On March 26, 2019, the Court granted that motion, stayed the action, and directed plaintiff to contact the Court when the bankruptcy proceedings had concluded.

A review of the docket sheet indicates that no further action has been taken on the case for the past three years. The Court reached out to the law firm that had represented plaintiff and was advised that that firm had closed on December 31, 2019. The Court has received no further communications about the case, its status, or the result of bankruptcy proceedings involving the defendant.

In light of the above, this case is hereby dismissed for failure to comply with the Order of the Court and for failure to prosecute pursuant to Federal Rules of Civil Procedure 41.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is positioned above a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
April 7, 2022.